



# **Minneapolis**

*City of Lakes*

**CIVILIAN POLICE REVIEW AUTHORITY**

**FOURTH QUARTER REPORT**

**2011**

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## **Introduction**

The Minneapolis Civilian Police Review Authority (CRA) is responsible for receiving, investigating, mediating, and adjudicating civilian complaints against Minneapolis Police Department (MPD) officers. This report will provide information about citizen complaints involving the actions of MPD officers. This report will present data from the first, second, third and fourth quarters. It should be noted that the data contained in this report is a snapshot of the data at the end of the quarter. This report does not include data from the MPD Internal Affairs Unit or the lawsuits filed against MPD officers.

The report is divided into four sections. Section I will provide CRA data collected from January through December 2011. Section II will discuss select complaint data for closer examination. Section III will discuss the results of sustained allegations forwarded to the chief of police in the fourth quarter. Section IV will provide additional information related to the CRA operation.

## Section I 2011 Statistics

The table below provides CRA data related to the number of civilian contacts, the demographics of the civilian contacts, and the allegations contained in complaints from the first through the fourth quarters of 2011.

**Table 1 Complaint Data**

<b>Minneapolis Civilian Police Review Authority 2011</b>					
		<b>1Q</b>	<b>2Q</b>	<b>3Q</b>	<b>4Q</b>
1.	Number of initial complaints received	75	82	114	82
2.	Number of complaints sent for signature	27	35	50	24
3.	Number of signed complaints received	22	19	29	27
4.	Number of complaints withdrawn	0	1	0	0
5.	Percentage of complaints containing multiple allegations	59%	74%	72%	81%
6.	Total number of allegations by type				
	• Inappropriate Conduct	20	22	29	36
	• Inappropriate Language	18	7	18	20
	• Harassment	1	1	11	9
	• Excessive Force	34	16	19	10
	• Failure to Provide Adequate or Timely Police Protection	3	2	3	14
	• Discrimination	0	0	36	12
	• Failure to Report Use of Force	0	2	0	0
	• Retaliation	0	0	0	2
	• Theft	0	4	4	0
7.	Location of complaints by precinct (See map, Appendix A)				
	• Precinct 1	11	8	10	17
	• Precinct 2	1	3	2	2
	• Precinct 3	3	4	5	3
	• Precinct 4	3	2	9	1
	• Precinct 5	4	2	3	4
	• Outside City	0	0	0	0
8.	Location of complaint by ward (See map, Appendix A)				
	• Ward 1	1	0	2	1
	• Ward 2	1	2	1	1
	• Ward 3	0	3	3	1
	• Ward 4	0	0	1	0
	• Ward 5	3	1	5	1
	• Ward 6	1	1	2	1
	• Ward 7	10	8	9	16
	• Ward 8	2	0	1	2

Minneapolis Civilian Police Review Authority 2011				
	1Q	2Q	3Q	4Q
• Ward 9	0	2	3	0
• Ward 10	3	0	0	2
• Ward 11	1	0	1	1
• Ward 12	0	1	1	1
• Ward 13	0	1	0	0
• Outside City	0	0	0	0
9. Race of Complainants (includes victims) <sup>1</sup>				
• Asian	3	0	1	0
• Black	18	16	21	16
• Latino	1	0	1	0
• American Indian	0	0	0	1
• Unknown	3	0	1	1
• White	4	7	7	13
10. Age of Complainants				
• Under 21	1	5	3	2
• 21 – 40	19	8	15	17
• Over 40	6	8	11	10
• Unknown	3	2	2	2
11. Gender of Complainants				
• Female	11	8	8	7
• Male	18	15	23	24
12. Race of Officer involved in complaint				
• Asian	1	1	3	3
• Black	4	3	1	5
• Latino	1	2	0	0
• American Indian	0	2	1	2
• White	25	21	28	27
13. Officer's Time on Force (seniority of officer involved in complaint)				
• Less than 5 years	13	10	11	6
• 5 or more years	18	19	22	31

## Section II Complaint Data Discussion

### *Complaints*

Staff closed 69% of the initial complaints received during intake in the fourth quarter, which is an increase in initial complaints closures as compared to the third quarter (66%).

Twenty-nine percent of the initial complaints resulted in a complaint for signature. A complaint for signature is a complaint that (after initial screening by CRA staff) is sent for a Complainant

<sup>1</sup> Because the CRA ordinance allows any person with personal knowledge to file a complaint, the term "victim" is used to describe the individual who experienced the police action contained in the complaint.

signature because the alleged actions by a police officer may have violated MPD policy and procedures.

The CRA received 27 signed complaints, which is consistent with the number of complaints received during the same period last year. Thirteen of the complaints received during the fourth quarter qualified for priority complaint processing. Priority complaint processing is a method used to identify those complaints that meet certain factors, such as the seriousness of the allegation, past history of the involved officer, or high sustainability factors. Complaints selected for priority investigation are placed on a 90-day investigation plan.

### *Allegations*

Excessive force allegations against MPD officers accounted for 10% of the complaint allegations filed during the fourth quarter of 2011, a decrease from 16%, which were received last quarter. This is the third straight quarter that the percentage of excessive force allegations has decreased.

After receiving high number of discrimination allegations during the third quarter, the number of discrimination allegations in the fourth quarter decreased by two-thirds.

### *Location of Complaints*

The majority of the fourth quarter complaints involved incidents that occurred in the First Precinct and Ward 7, which is consistent with previous quarters. Most of those complaints involved police conduct that occurred in the downtown business and entertainment district. Complaints from the downtown business district accounted for 41% of the complaints filed during the fourth quarter, which is an increase from the 31% of complaints from the downtown area that were received last quarter. The fourth quarter percentage of the complaints (41%) from the downtown area is consistent with the first (50%) and second (42%) quarters of 2011.

### *Complainants*

There has been no change in the demographic distribution of people who file the majority of complaints against Minneapolis police officers. During the fourth quarter, blacks filed 52% of the complaints, which is a lower percentage of the complaints filed by blacks during the third quarter (68%).

### *Mediation*

Six complaints were referred to mediation. One mediation was held, and the complaint was successfully mediated. Mediation of the remaining five complaints will be held during the first quarter of 2012.

Two complaints referred to mediation in the third quarter were held. One was successful, and one was unsuccessful and was returned to investigation.

### *Board Activity*

The CRA board consists of 11 board members appointed by the Mayor and the City Council to four-year terms. Members must be residents of Minneapolis and cannot be current or former employees of the MPD. Board members are responsible for conducting hearings and determining the facts of complaints, making policy recommendations to the MPD, holding monthly public meetings, and participating in community outreach. Public meetings and community outreach are essential to the board's ability to receive comments from the public concerning the relations between the public and the MPD and to explain the agency's role in addressing police misconduct. The board's authorization to determine the facts of a complaint provides the citizens of Minneapolis the opportunity to be intimately involved in police accountability. Moreover, the board members, through their hearing panel decisions, policy review and recommendations, review of the chief's actions related to the CRA complaints, and outreach are in a position to affect behavior changes in the community and the MPD.

Once CRA staff completes a complaint investigation, the complaint is sent to the CRA board to schedule a hearing. Board hearings are conducted to adjudicate the complaints. The board conducted hearings on 17 complaints during the fourth quarter of 2011, of which 16 reached a determination.

**Table 2 Board Data – Disposition of Complaints**

<b>Disposition of Complaints</b>	<b>1 Q</b>	<b>2Q</b>	<b>3Q</b>	<b>4Q</b>
• Number of complaints heard by panel	18	19	16	17
○ Number of complaints fully sustained	3	1	2	2
○ Number of complaints partially sustained	5	4	1	0
○ Number of complaints not sustained	6	7	5	9
○ Number of complaints dismissed <sup>2</sup>	6	7	8	7
○ Number of complaints determination pending			1	1
• Number of allegations contained in complaints heard				
○ Number of allegations sustained	25	34	8	4
○ Number of allegations not sustained	60	30	28	25
○ Number of allegations dismissed <sup>2</sup>	16	14	58	11
• Types of allegations sustained				
○ Inappropriate conduct	9	8	3	0
○ Inappropriate language	1	14	2	3
○ Harassment	4	2	0	0
○ Excessive force	8	10	2	1
○ Failure to provide adequate or timely police protection	2	0	1	0
○ Discrimination	0	0	0	0
○ Failure to report use of force	1	0	0	0
○ Retaliation	0	0	0	0

### Section III Results of Sustained Allegations Forwarded to MPD

The CRA ordinance provides that the chief can make one of four decisions on a sustained complaint as determined by the CRA board:

- (1) Impose discipline and notify the review authority in writing that discipline has been imposed; or
- (2) Determine that no discipline will be imposed and notify the review authority in writing of such determination and the reasons for such determination; or
- (3) Make a one time written request that the review authority reconsider the sustained finding; or
- (4) Submit in writing to the review authority a request for an extension of time, not to exceed an additional thirty (30) days, to take one of the actions in subparagraphs (1) through (3) with a statement of the reason for the extension and a proposed date by which one of such actions will be taken.

<sup>2</sup> Includes complaints dismissed by CRA manager 172.85.(b)



During the fourth quarter, the chief made the following decision on 13 sustained allegations (3 complaints) which had been sent from the CRA to the chief for action

2 allegations - no discipline, no violation

1 allegation – no discipline, coaching

1 allegation – no discipline, policy failure

1 allegation – no discipline, training

8 allegations – no discipline, reckoning period

Of the three complaints where no discipline was imposed, reasons given for no discipline were:

- Reckoning Period: The complaint is considered to be too old for corrective action/discipline.
- Policy Failure: The complaint is true, but the employee's actions were consistent with MPD Policy. Policy is then examined for possible revision.
- Difference in evaluation of officer's actions as determined by the CRA board.
- Coaching: Informally talking with the employee about the misconduct, suggesting more appropriate behavior for handling the incident and discussing future expectations for the employee.
- Training: Additional training recommended to correct officer behavior.

No MPD decisions pending at the end of the fourth quarter were beyond 30 days.

## **Section IV Other Information**

### *Social Media*

The CRA can be found on the Minneapolis Department of Civil Rights Facebook page and WordPress. See links below.

Facebook: <http://www.facebook.com/CivilRightsMinneapolis>

WordPress: <http://civilrightsminneapolis.wordpress.com/>

## Appendix A: Ward and Precinct Map

